

**ORDINANCE NO. 3865**

AN ORDINANCE OF THE CITY OF EDMONDS,  
WASHINGTON, AMENDING THE CITY'S DEVELOPMENT  
REGULATIONS TO ADOPT A UNIFORM 45-FOOT  
DIMENSION FOR ALL DESIGNATED STREET FRONTS IN  
BD ZONES, AMENDING EDMONDS COMMUNITY  
DEVELOPMENT CODE SECTION 16.43.030.

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WHEREAS, the Planning Board held a public hearing on June 8, 2011, on proposed amendments to ECDC 16.43; and

WHEREAS, the City Council held a public hearing on this issue on July 26, 2011, and referred the matter to the Community Services/Development Services Committee for further review and discussion; and

WHEREAS, after discussion, the Committee forwarded three of four issues to the full Council for further deliberation and potential action; and

WHEREAS, the City Council deliberated further on August 23, 2011, and decided to move forward with only a portion of the Planning Board's recommendation: the 45-foot store fronts proposal; and

WHEREAS, the City desires to amend the regulations for designated street fronts to adopt a uniform 45-foot requirement measured perpendicular to the street front of the building lot fronting on each of the mapped streets within all BD zones; and

WHEREAS, this effort necessitates an amendment to Edmonds Community Development Code section 16.43.030;

NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO ORDAIN  
AS FOLLOWS:

Section 1. Site Development Standards. Section 16.43.030 of the Edmonds Community Development Code, entitled "Site development standards," is hereby amended to read as follows (new text is shown in underline; deleted text is shown in ~~strike through~~):

## 16.43.030

### Site development standards.

#### A. Table 16.43-2.

Sub District	Minimum Lot Area	Minimum Lot Width	Minimum Street Setback	Minimum Side Setback <sup>1</sup>	Minimum Rear Setback <sup>1</sup>	Maximum Height <sup>2</sup>	Minimum Height of Ground Floor within the Designated Street Front <sup>4</sup>
BD1 <sup>5</sup>	0	0	0	0	0	25'	15'
BD2 <sup>5</sup>	0	0	0	0	0	25'	12'
BD3 <sup>5</sup>	0	0	0	0	0	25'	12'
BD4 <sup>3,5</sup>	0	0	0	0	0	25'	12'
BD5 <sup>5</sup>	0	0	0	0	0	25'	12'

<sup>1</sup> The setback for buildings and structures located at or above grade (exempting buildings and structures entirely below the surface of the ground) shall be 15 feet from the lot line adjacent to residentially (R) zoned property.

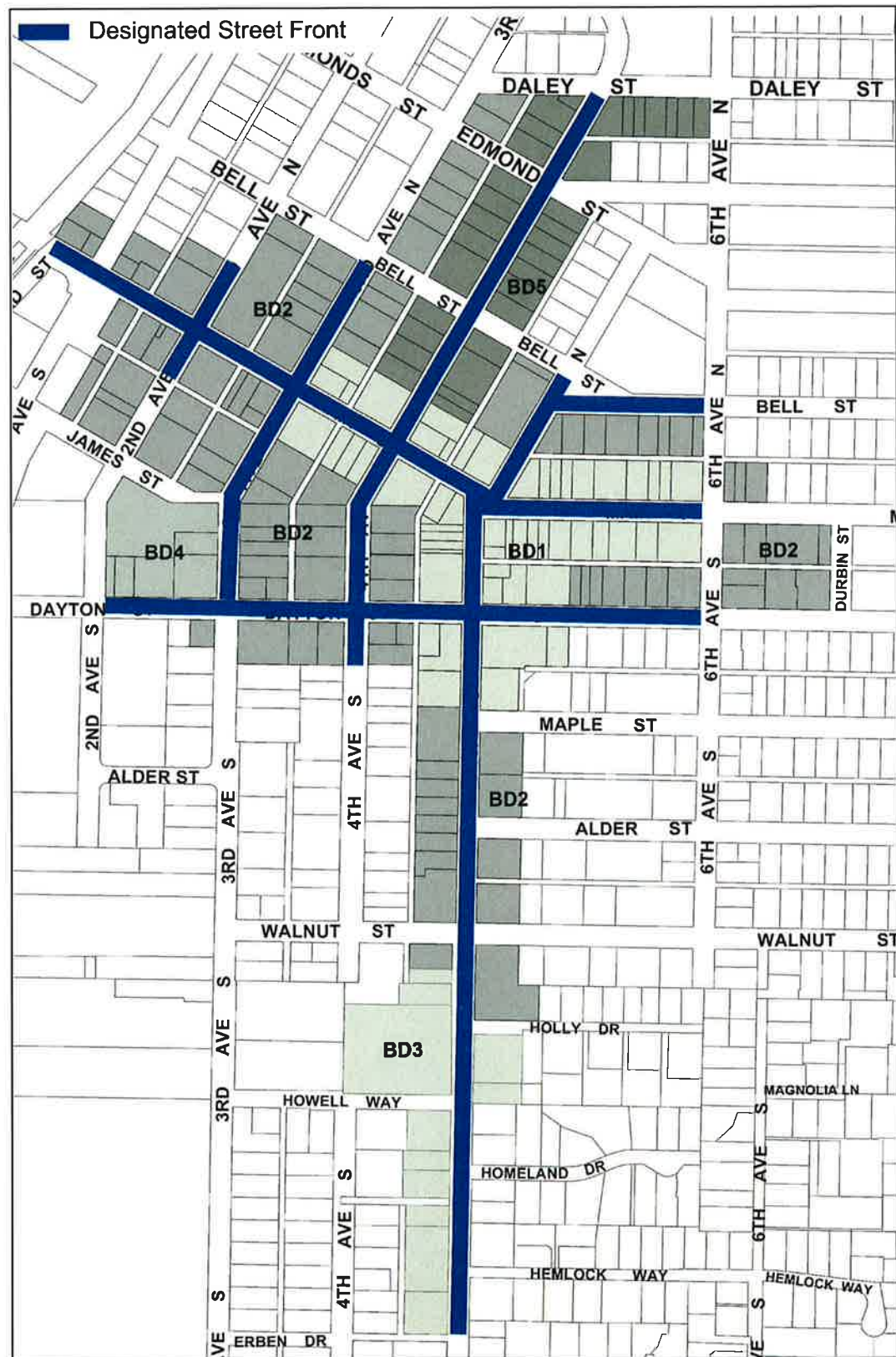
<sup>2</sup> Specific provisions regarding building heights are contained in ECDC 16.43.030(C).

<sup>3</sup> Within the BD4 zone, site development standards listed in Table 16.43-2 apply when a building contains a ground floor consisting of commercial space to a depth of at least ~~60~~ 45 feet measured from the street front of the building. If a proposed building does not meet this ground floor commercial space requirement (e.g., an entirely residential building is proposed), then the building setbacks listed for the RM-1.5 zone shall apply. See ECDC 16.43.030(B)(8) for further details.

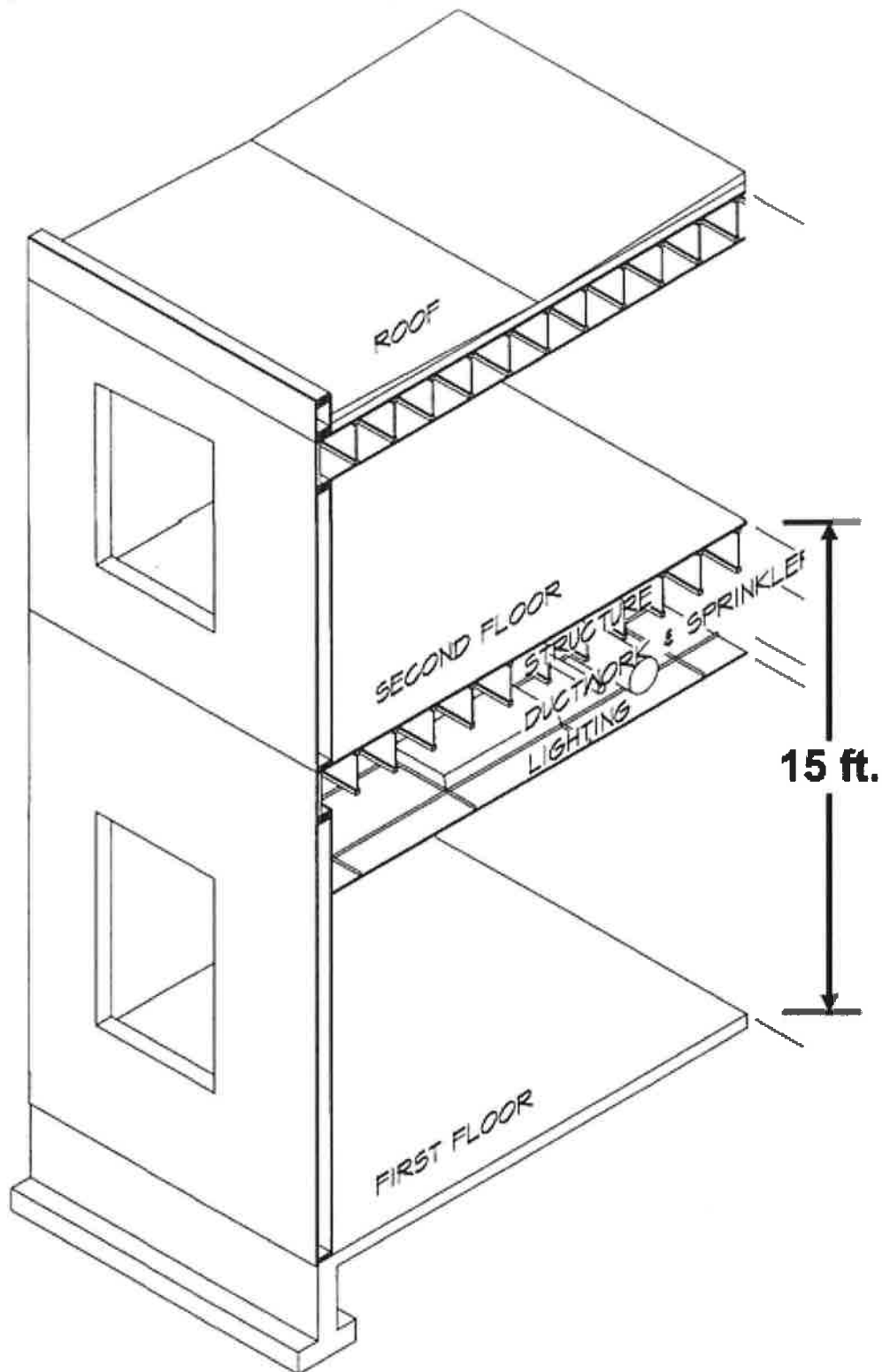
<sup>4</sup> “Minimum height of ground floor within the designated street-front” means the vertical distance from top to top of the successive finished floor surfaces for that portion of the ground floor located within the designated street front (see ECDC 16.43.030(B)); and, if the ground floor is the only floor above street grade, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters. “Floor finish” is the exposed floor surface, including coverings applied over a finished floor, and includes, but is not limited to, wood, vinyl flooring, wall-to-wall carpet, and concrete, as illustrated in Figure 16.43-1. Figure 16.43-1 shows a ground floor height of 15 feet; note that the “finished” ceiling height is only approximately 11 feet in this example.

<sup>5</sup> Site development standards for single-family dwellings are the same as those specified for the RS-6 zone.

***Map 16.43-1: Designated Street Front for Properties in the BD1 Zones***



*Figure 16.43-1: Ground Floor Height Measurement*



B. Ground Floor. This section describes requirements for development of the ground floor of buildings in the BD zones.

1. For all BD zones, the ground floor is considered to be that floor of a building which is closest in elevation to the finished grade along the width of the side of the structure that is principally oriented to the designated street front of the building (this is normally the adjacent sidewalk). For the purposes of this section, the ground “floor” is considered to be the sum of the floor planes which, in combination, run the full extent of the building and are closest in elevation to one another. For the purposes of this chapter, the definition of “ground floor” contained in ECDC 21.35.017 does not apply.

2. Designated Street Front. Map 16.43-1 shows the streets that define the designated street front for all properties lying within the BD4 zones; ~~which is~~ The designated street front is defined as the 30 45 feet measured perpendicular to the indicated street front of the building lot fronting on each of the mapped streets. ~~For all other BD zones, the designated street front is established as the first 60 feet of the lot measured perpendicular to any street right of way, excluding alleys.~~

3. Minimum Height of the Ground Floor within the Designated Street Front. The minimum height of the ground floor specified in Table 16.43-2 only applies to the height of the ground floor located within the designated street front established in subsection (B)(2) of this section.

4. Access to Commercial Uses within the Designated Street Front. When a commercial use is located on the ground floor within a designated street front as defined in subsection (B)(2) of this section, the elevation of the ground floor and associated entry shall be within seven inches of the grade level of the adjoining sidewalk. “Grade” shall be as measured at the entry location. Portions of the ground floor outside the designated street front of the building need not comply with the access requirements specified in this section.

5. When the designated street front of a building is on a slope which does not allow both the elevation of the entry and ground floor within the designated street front to be entirely within seven inches of the grade level of the sidewalk, as specified in subsection (B)(4) of this section, the portion of the ground floor of the building located within the designated street front may be designed so that either:

a. The entry is located within seven inches of the grade of the adjacent sidewalk, and the commercial portion of the ground floor located within the designated street front is within seven inches of the grade level of the entry; or

b. The building may be broken up into multiple frontages, so that each entry/ground floor combination is within seven inches of the grade of the sidewalk.

c. For corner lots, a primary entry shall be established for the purposes of determining where the ground floor entry rules detailed in this section shall apply. The first choice for the primary entry shall be either 5th Avenue or Main Street. In the case of the BD5 zone, the primary entry shall always be on 4th Avenue.

6. Within the BD1 zone, development on the ground floor shall consist of only commercial uses, except that parking may be located on the ground floor so long as it is not located within the designated street front.

7. Within the BD2 and BD3 zones, development on the ground floor shall consist of only commercial uses within the designated street front. Any permitted use may be located on the ground floor outside of the designated street front.

8. Within the BD4 zone, there are two options for developing the ground floor of a building. One option is to develop the ground floor with commercial space, meeting the same requirements detailed for the BD2 and BD3 zones in subsection (B)(7) of this section. As a second option, if more residential space is provided so that the ground floor does not meet the commercial use requirements described in subsection (B)(7) of this section, then the building setbacks listed for the RM-1.5 zone shall apply. In the case where RM-1.5 setbacks are required, the required street setback shall be landscaped and no fence or wall in the setback shall be over four feet in height above sidewalk grade unless it is at least 50 percent open, such as in a lattice pattern.

9. Within the BD5 zone, one option is to develop the ground floor with commercial space, meeting the same requirements detailed for the BD2 zone in subsection (B)(7) of this section. When development of the ground floor does not conform to these requirements, then development within the BD5 zone shall meet the following requirements:

a. The building shall be oriented to 4th Avenue. "Orientation to 4th Avenue" shall mean that:

i. At least one building entry shall face 4th Avenue.

ii. If the building is located adjacent to the public right-of-way, architectural details and/or applied art shall be incorporated into the building design to add interest at the pedestrian (i.e., ground floor) level.

iii. If the building is set back from the street, landscaping and/or artwork shall be located between the building and the street front.

b. Live/work uses are encouraged within the BD5 zone, and potential live/work space is required for new residential buildings if no other commercial use is provided on-site.

i. If multiple residential uses are located on the ground floor, the building shall incorporate live/work space into the ground floor design in such a way as to enable building occupants to use portion(s) of their space for a commercial or art/fabrication use. "Live/work space" means a structure or portion of a structure that combines a commercial or manufacturing activity that is allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household. The live/work space shall be designed so that a commercial or fabrication or home occupation use can be established within the space.

*Figure 16.43-2: BD5 Development*



*Building at right (foreground) shows landscaping located between building and street. Building at left (background) shows commercial space integrated with residential uses, and the entry oriented to the street.*

10. Exceptions and Clarifications. The regulations for the ground floor contained in subsections (B)(1) through (9) of this section apply with the following exceptions or clarifications:

a. That in all areas the provision of pedestrian access to permitted residential uses is allowed as a permitted secondary use.

b. The restrictions on the location of residential uses shall not apply when a single-family use is the only permitted primary use located on the property.

c. Existing buildings may be added onto or remodeled without adjusting the existing height of the ground floor to meet the specified minimum height, so long as the addition or remodel does not increase the building footprint or its frontage along a street by more than 25 percent. Permitted uses may occupy an existing space regardless of whether that space meets the ground floor requirements for height.

d. Parking is not considered to be a commercial use for the purposes of satisfying the ground floor commercial use requirement within the designated street front (e.g., when the first 30 45 feet of a building are within a designated street front in the BD1 zone, parking may not be located within that 30 45 feet).

e. For properties within the BD2 or BD3 zone which have less than 90 feet of depth measured from the street front, parking may be located in the rearmost 30 45 feet of the property, even if a portion of the parking extends into the first 60 45 feet of the building. In no case shall

the depth of commercial space as measured from the street front of the building be less than 30 feet.

f. Within the BD2, BD3 and BD4 zones, if the first ~~60~~ 45 feet of the building as measured perpendicular to the street consist only of commercial uses and permitted secondary uses, then permitted multiple-family residential unit(s) may be located behind the commercial uses.

Section 2. Severability. If any section, subsection, clause, sentence, or phrase of this ordinance should be held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

  
MAYOR DAVID O. EARLING

ATTEST/AUTHENTICATED:

  
CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
JEFF TARADAY

FILED WITH THE CITY CLERK:	12-16-2011
PASSED BY THE CITY COUNCIL:	12-20-2011
PUBLISHED:	12-25-2011
EFFECTIVE DATE:	12-30-2011
ORDINANCE NO. <u>3865</u>	



## **SUMMARY OF ORDINANCE NO. 3865**

of the City of Edmonds, Washington

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On the 20<sup>th</sup> day of February, 2011, the City Council of the City of Edmonds, passed Ordinance No. 3865. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS,  
WASHINGTON, AMENDING THE CITY'S  
DEVELOPMENT REGULATIONS TO ADOPT A  
UNIFORM 45-FOOT DIMENSION FOR ALL  
DESIGNATED STREET FRONTS IN BD ZONES,  
AMENDING EDMONDS COMMUNITY  
DEVELOPMENT CODE SECTION 16.43.030.

The full text of this Ordinance will be mailed upon request.

DATED this 21<sup>st</sup> day of December, 2011.

  
CITY CLERK, SANDRA S. CHASE

# Affidavit of Publication

STATE OF WASHINGTON,  
COUNTY OF SNOHOMISH

} S.S.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance

No. 3865

City of Edmonds

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

December 25, 2011

and that said newspaper was regularly distributed to its subscribers during all of said period.

SUMMARY OF ORDINANCE NO. 3865  
of the City of Edmonds, Washington  
On the 20th day of February, 2011, the City Council of the City of Edmonds, passed Ordinance No. 3865. A summary of the content of said ordinance, consisting of the title, provides as follows:  
AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE CITY'S DEVELOPMENT REGULATIONS TO ADOPT A UNIFORM 45-FOOT DIMENSION FOR ALL DESIGNATED STREET FRONTS IN BD ZONES, AMENDING EDMONDS COMMUNITY DEVELOPMENT CODE SECTION 16.43.030.  
The full text of this Ordinance will be mailed upon request.  
DATED this 21st day of December, 2011.  
CITY CLERK, SANDRA S. CHASE  
Published: December 25, 2011.

*Jody Grohl*

Principal Clerk

Subscribed and sworn to before me this

26th

day of December, 2011

*Shirley A. Little*

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.

